IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE FOURTEENTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 19249 of 2004

Between:

Kammakattu Appala Raja Reddy, S/o. Late Gaddanna, HIndu,
R/o. Kotabommali Village and Mandal, Srikakulam District.

..... PETITIONER

AND

1 The Commissioner of Endowments, Government of A.P., Boggulakunta, Hyderabad.
2 Smt. Tenguda Raja Sulochana, W/o. Appa Rao, HIndu, Major,
R/o. Kotabommali (V) (M), Srikakulam District.
3 Smt. Annapuran Chinnammi, W/o. Kasayya, Hindu, Major,
R/o. Kotabommali (V) (M), Srikakulam District.
4 Sri Devadi Chinnayya, W/o. Yerrayya, Hindu, Major
R/o. Kotabommali (V) (M), Srikakulam District.
5 Sri Penohi Reddy Chinna Ramulu, S/o. Latchanna, Hindu, Major
R/o. Kotabommali (V) (M), Srikakulam District.
6 Sri Komakattu Krishna Reddy, S/o. Appayya, Hindu, Major
R/o. Kotabommali (V) (M), Srikakulam District.
7 Sri Kanda Ramesh, S/o. Jagannadham, Hindu, Major
R/o. Kotabommali (V) (M), Srikakulam District.
8 Smt. Sadgivi Indumani, W/o. Ramana Murthy, Hindu, Major
R/o. Kotabommali (V) (M), Srikakulam District.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, Order or Direction more particularly one in the nature of Writ of Mandamus or any other appropriate Writ, declaring the action of the 1st respondent in appointing the Festival Committee to Srikothamma Ammavari Temple Kotabommali Village, through the impugned order in L.Dis.No.B1/49235/04 dt. 8-10-2004 as one without any provision and without jurisdiction and competency besides non-application of mind and consequently setaside the impugned order bearing L.Dis.No. B1/49235/04 dt. 8-10-2004.

Counsel for the Petitioner:MR.N.GURU GOPAL
Counsel for Respondent No.1: GP FOR ENDOWMENTS

Counsel for Respondents 2 to 9:--

The Court at the stage of admission made the following Order:

This writ petition is filed seeking a writ of Mandamus that the action of the first respondent- Commissioner of Endowments Department, Boggulakunta, Hyderabad in appointing the Festival Committee through the impugned order dated 08-10-2004, as arbitrary and illegal.

It is not in dispute that the first respondent is the competent authority to appoint the Board of Trustees to the Temple in question under the provisions of The Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act 1987.

Admittedly, the members of the said Festival Committee are among the Chairman and members of the committee. Nothing has been placed before this Court to show that impugned action of the first respondent is in contravention of any statutory provision. As can be seen from the impugned proceedings, the first respondent has constituted a committee for smooth conduct of Annual Jathara for a period of one week. Such a discretionary order passed by the competent authority in the interest of the institution cannot be said to be either arbitrary or illegal. The writ petition is devoid of merits and misconceived.

The writ petition is, accordingly, dismissed. No costs.

14-10-2004

kdl

To

1. The Commissioner of Endowments, A.P., Boggulakunta, Hyderabad.
2. Two C.C.s to the Government Pleader for Endowments, High Court Buildings, A.P., Hyderabad, (OUT).
3. Two C.D.copies.